

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

UNITED STATES OF AMERICA,

Plaintiff,

v.

ORDER

Criminal File No. 16-339 (MJD/FLN)

(1) PRESTON ELLARD FORTHUN,
(5) ABDISALAN ABDULAHAB HUSSEIN, and
(6) CARLOS PATRICIO LUNA,

Defendants.

John E. Kokkinen, Amber M. Brennan, and David Michael Maria, Assistant
United States Attorneys, Counsel for Plaintiff.

Andrew S. Birrell and Ian S. Birrell, Gaskins Bennett Birrell Schupp, LLP,
Counsel for Defendant Preston Ellard Forthun.

R. J. Zayed, Dorsey & Whitney LLP, Counsel for Defendant Abdisalan
Abdulahab Hussein.

Charles L. Hawkins, Law Offices of Charles L. Hawkins, Counsel for Defendant
Carlos Patricio Luna.

This matter is before the Court on the parties' motions in limine. A jury
trial is set to begin on Wednesday, September 27, 2017.

Based upon the files, records, and proceedings herein, **IT IS HEREBY**

ORDERED:

1. Defendant Forthun's Motion in Limine to Exclude Reference to Separate Alleged Conspiracy [Docket No. 286] is **DENIED**.
2. Defendant Hussein's Motion in Limine to Exclude Fed. R. Evid. 404(b) Evidence [Docket No. 290] is **DENIED**.
3. The Government's Notice of Intent to Introduce and Motion in Limine to Admit Evidence Pursuant to Rule 404(b) [Docket No. 301] is **GRANTED**.
4. The Government's Notice of Intent to Introduce and Motion in Limine to Admit Evidence Pursuant to Rule 404(b) Related to Defendant Preston Forthun [Docket No. 326] is **DENIED**.
5. Defendant Hussein's Motion in Limine to Exclude Government's Use of Term "Runner" in Referring to Defendant Hussein [Docket No. 293] is **DENIED**.
6. Defendant Hussein's Motion in Limine to Exclude Arguments Relating to Minn. Stat. § 609.612 [Docket No. 296] is **DENIED**.
7. Defendant Luna's Motions in Limine [Docket No. 303] are **DENIED**.
8. Defendant Luna's Second Motion in Limine [Docket No. 318] is **GRANTED**.

Dated: September 21, 2017

s/ Michael J. Davis

Michael J. Davis

United States District Court